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T O P S E C R E T/EYES ONLY 111211Z DEC 71 [ ]  
FM AMBASSADOR GERARD SMITH, SALT DELEGATION, VIENNA 024  
TO THE WHITE HOUSE, (DELIVER AT OPENING OF BUSINESS) EYES ONLY  
DR. HENRY A. KISSINGER  
DEAR HENRY:

SUBJECT: TRE ATY FORM FOR ABM LIMITATION

I UNDERSTAND DOD IS HOLDING UP ANSWER TO DELEGATION REQUEST FOR AUTHORITY TO ADVISE SOVIET DELEGATION WE AGREE TO TREATY FORM. I UNDERSTAND THAT PART OF DOD MOTIVATION IS BELIEF THAT WE SHOULD TRADE THIS MOVE FOR SOMETHING WE WANT. I DO NOT BELIEVE THIS MOVE HAS TRADING VALUE. SOVIETS ACCEPTED OUR PREFERRED FORM FOR OFFENSIVE FREEZE STATING THEIR EXPECTATION THAT THIS WOULD LEAD TO US MOVE ON FORM OF ABM DEAL. PRESIDENT LAST JUNE 1ST IN PRESS CONFERENCE FORESHADOWED LIKELIHOOD THAT THIS WOULD BE A TREATY.

QUESTIONS OF DURATION/WITHDRAWAL LINKAGE BETWEEN TREATY AND FREEZE WILL NOT BE PREJUDGED BY US ASSENT NOW TO TREATY FORM.

IT IS HARD FOR ME TO CONCEIVE THAT THE ADMINISTRATION WOULD WANT TO TAKE THE SENATE ON BY COVERING ABM LIMITATION WITH AN EXECUTIVE AGREEMENT.

DELEGATION RECOMMENDED TREATY FROM HELSINKI ON SEPTEMBER 9, 1971, USDEL SALT #996. DELEGATION REPEATED THIS RECOMMENDATION NOVEMBER 30, 1971, USDEL SALT #1096.

SINCE START OF VIENNA PHASE, WE HAVE PRESENTED POSITION OF ALMOST TOTAL IMMOBILITY. I URGE STRONGLY THAT WE BE PERMITTED PROMPTLY TO ASSENT, WITHOUT CONDITIONS, TO WHAT I THINK HAS LONG SINCE BEEN A FOREGONE CONCLUSION.

I WOULD APPRECIATE YOUR ASKING THE PRESIDENT TO BREAK THIS MATTER LOOSE SO THAT WE CAN MAKE ASSENT TO TREATY AT MEETING ON TUESDAY, DECEMBER 14TH.  
WARM REGARDS.

GERRY SMITH

200  
#1781

ON-FILE NSC RELEASE INSTRUCTIONS APPLY

State Dept. review  
completed

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